

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TAMELA ROADES,)	
)	
Plaintiff,)	
)	
v.)	No. 4:10CV1892 TIA
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Application for Award of Attorney's Fees Pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d)(1)(A). Plaintiff is the prevailing party in this action challenging the Commissioner of Social Security's denial of Plaintiff's applications for Disability Insurance Benefits and Supplemental Security Income Benefits. Plaintiff's request for attorney's fees is supported by appropriate documentation.

Plaintiff seeks attorney's fees in the amount of \$1,615.43, which represents 9.2 attorney hours incurred at the rate of \$175.59 per hour. Plaintiff requests that the award of attorney's fees be made payable to counsel based upon the Assignment of Federal Court EAJA Attorney Fee agreement signed by Plaintiff. (Pl. Ex. 2, ECF No. 22-4)

Defendant filed a response to Plaintiff's motion, agreeing to the amount requested by Plaintiff. Defendant contends, however, that the EAJA fee is payable to Plaintiff and not counsel. Plaintiff has not filed a reply to the Defendant's response, and the time for doing so has expired.

The Court finds that Plaintiff is entitled to EAJA fees in the amount of \$1,615.43, payable to the Plaintiff as the prevailing party. Astrue v. Ratliff, ___ U.S. ___, 130 S. Ct. 2521, 2527 (2010)

(holding that EAJA fees are payable to the prevailing party and may be subject to offset to satisfy any pre-existing debt owed to the United States).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Application for Award of Attorney's Fees Pursuant to the Equal Access to Justice Act [Doc. #22] is **GRANTED** in the amount of \$1,615.43.

IT IS FURTHER ORDERED that said award shall be made payable to the Plaintiff.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 17th day of July, 2012.